

REMARKS

Claims 2-7 are pending. By this Amendment, claims 2, 5 and 6 are amended.

The Office Action rejects claims 6-7 under 35 USC 112, second paragraph. Claims 6 has been amended as suggested in the Office Action. Withdrawal of the rejection is requested.

The Office Action rejects claims 1-6 under 35 USC 102 over Yajima (US Pat. 5,936,244). This rejection is respectfully traversed.

Yajima discloses that a negative voltage is applied to the specimen (see Fig. 1 and associated specimen) and that the signal intensity is changed according to the energy level of the electron beam incident on the specimen (see fig. 3 and associated description). However, Yajima does not disclose or suggest the feature of adjusting the negative voltage so as to cancel charge up of the specimen as recited in claims 1, 5 and 6. Accordingly Yajima does not anticipate any of the claims and withdrawal of the rejection is requested.

The Office Action rejects claims 1-7 under 35 USC 102 over Shinada (US Pat. 6,172,363). This rejection is respectfully traversed.

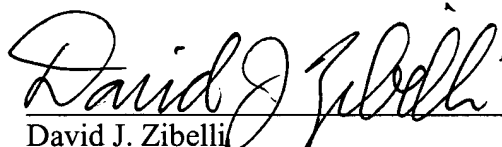
Shinada does not disclose or suggest forming a negative potential field such that the secondary electrons are retarded, as recited in claims 2 and 5, or the corresponding element recited in claim 6. Accordingly, Shinada does not anticipate any claims of the application and withdrawal of the rejection is requested.

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application.

The Office is authorized to charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit of any overpayment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

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David J. Zibelli
Registration No. 36,394

KENYON & KENYON
1500 K Street, N.W. - Suite 700
Washington, DC 20005-1257
Tel: (202) 220-4200
Fax: (202) 220-4201